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*G&G CLOSED CIRCUIT EVENTS, LLC*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

G&G CLOSED CIRCUIT EVENTS, LLC,  
a California limited liability company,

Plaintiff,

vs.

FANMIO INC., a Florida Corporation; and  
SOLOMON ENGEL, an individual,

Defendant.

Case No. 2:24-cv-01279

**STIPULATED DISCOVERY PLAN AND  
SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW  
REQUESTED**

**SUBMITTED IN COMPLIANCE WITH LR 26-1(b)**

In accordance with Federal Rule of Civil Procedure (“FRCP”) 26(f) and Local Rule 26-1, Plaintiff G&G Closed Circuit Events, LLC (“G&G” or “Plaintiff”) and Defendant’s Fanmio, Inc. (“Fanmio”) and Solomon Engel (“Engel” and, collectively “Defendants”), by and through their respective counsel, submit their Stipulated Discovery Plan and Proposed Scheduling Order. As set forth in Defendants’ *Motion to Compel Arbitration and to Stay Proceedings* [ECF No. 15] (“Motion”), Defendants object to further proceedings in this case and have sought a stay of the proceedings, including discovery. The Defendants join in this filing, however, to comply with Rule 26 but maintain their objection to further proceedings before this Court. While Plaintiff opposes the Motion, Plaintiff stipulates that discovery should be stayed until this Court makes a determination on the Motion. For this reason, and as discussed in greater detail in Section K below, the Parties request a Special Discovery Review and for the Court to accommodate a stay



1 of discovery until a determination is made that Arbitration is not proper and the Court enters an  
2 Order denying Defendants' Motion to Compel Arbitration and Stay Proceedings. *See* ECF No.  
3 15 ("Entry of Order").

4 **A. FIRST APPEARANCE**

5 1. Plaintiff: July 16, 2024

6 Plaintiff filed its Complaint on July 16, 2024. [ECF No. 1.]

7 2. Defendant: August 7, 2024

8 Defendant first appeared on August 7, 2024, with the filing of their Verified Petition For  
9 Permission To Practice In This Case Only By Attorney Not Admitted To The Bar Of This Court  
10 And Designation of Local Counsel. [ECF No. 9.]

11 **B. FRCP 26(f) Conference: September 11, 2024**

12 On September 11, 2024, the counsel for the Parties met telephonically at 11:30 a.m.  
13 Leslie Godfrey, of Hone Law, appeared on behalf of Plaintiff, and Tuvia Sandler, of Stok Kon +  
14 Braverman appeared on behalf of Defendants.

15 **C. Initial Disclosures: To be determined by Entry of Order**

16 The Defendants object to initial disclosures in this case under Rule 26(a)(1)(C) because  
17 Defendants maintain the case should be moved to arbitration. While Plaintiff opposes  
18 Defendants' position that the case should be moved to arbitration, Plaintiff stipulates to postpone  
19 initial disclosures until 14 days after an entry of an Order denying the Motion ("Entry of Order").

20 **D. Subjects on Which Discovery May Be Needed**

21 Subject to the Defendants' objection to further proceedings before this Court, the Parties  
22 agree that if this case proceeds, discovery may be taken on any subject permitted by FRCP  
23 26(b)(1) or as otherwise ordered by the Court.

24 **E. Discovery Plan**

25 As discussed in Section K below, the Parties request a Special Discovery Review. The  
26 parties stipulate that the timeframes identified in FRCP 26(f)(3)(A) would be sufficient for  
27 discovery if they are scheduled to run from Entry of Order.

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1           **1. Discovery Cut-Off Date:** To be determined by Entry of Order

2           Pursuant to LR 26-1(e)(1), the Parties propose that discovery close 180 days after Entry  
3 of Order.

4           **2. Last Day to Amend Pleadings/Add Parties:** To be determined by Entry of Order

5           Pursuant to LR 26-2(b)(2), the Parties agree that the deadline for filing motions to amend  
6 the pleadings or to add parties to be 90 days before the close of discovery.

7           **3. Expert Disclosures:**

8           **4. Initial Expert Disclosures:** To be determined by Entry of Order

9           Pursuant to LR 26-1(b)(3), the Parties agree that the last day to serve initial expert  
10 disclosures shall be 60 days prior to the close of discovery.

11           **5. Rebuttal Expert Disclosures:** To be determined by Entry of Order

12           Pursuant to LR 26-1(b)(3), the Parties agree that the last day to serve initial expert  
13 disclosures shall be 30 days prior to the close of discovery.

14           **6. Dispositive Motions:** To be determined by Entry of Order

15           Pursuant to FRCP 56(b) and LR 26-1(b)(4), the Parties agree that the last day to file  
16 dispositive motions shall be 30 days after the close of discovery.

17           **7. Pretrial Order:** To be determined by Entry of Order

18           Pursuant to LR 26-1(b)(5) and (6), the disclosures required by Fed. R. Civ. P. 26(a)(3)  
19 and any objections to them must be included in the joint pretrial order, which shall be filed on  
20 the latter of: (1) 30 days after the dispositive motion deadline; or (2) 30 days after a decision on  
21 any dispositive motions, unless otherwise ordered by the court.

22           **F. Alternative Dispute Resolution**

23           Pursuant to LR 26-1(b)(7), the parties certify that they discussed the possibility of using  
24 alternative dispute resolution processes including mediation, arbitration, and early neutral evaluation  
25 during their FRCP 26(f) conference. While the Parties do not believe that engaging in any ADR  
26 process would be fruitful at the current time, they remain open to the possibility of pursuing such  
27 options in the future.

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1 **G. Alternative Forms of Case Disposition**

2 Pursuant to LR 26-1(b)(8), the parties certify that they have each considered consent to  
3 trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the  
4 Short Trial Program (General Order 2013-01), but do not wish to pursue such options at this  
5 time.

6 **H. Electronic Evidence**

7 **1. Disclosure and Preservation**

8 The Parties agree that all discoverable documents will be produced either in the  
9 documents' native format or in Portable Document Format ("PDF") with optical text recognition  
10 (electronically searchable text) in the disclosing party's discretion. The Parties further agree that  
11 the "parent-child relationships" between documents will be preserved when documents are  
12 produced (e.g., e-mails and their attachments will be produced together with consecutive bates  
13 numbers).

14 While the Parties agree at this time that it is not necessary to produce the metadata for  
15 electronic documents, the Parties agree to preserve the metadata, to the extent it exists, and  
16 reserve their respective rights to request such information should any Party deem it necessary.  
17 This agreement only determines the format in which the Parties produce documents; it does not  
18 affect any other right of any Party.

19 **2. Jury Deliberations**

20 Pursuant to LR 26-1(b)(9), the parties certify that they discussed whether they intend to  
21 present evidence in electronic format to jurors for the purposes of jury deliberations. The Parties  
22 did not enter into any stipulations on the issue because the Parties do not yet know whether they  
23 will choose to provide the jurors with electronic copies of evidence for the purposes of jury  
24 deliberations.

25 **I. Assertion of Privilege or Work Product Protection After Production**

26 If, during the course of this litigation, any party discovers that it has received potentially  
27 privileged documents or information belonging to another party to this action, the receiving party  
28 must notify the party holding the privilege immediately in writing, upon discovering that it has



1 received the potentially privileged information or documents to determine if the disclosure  
2 and/or production of privileged information was inadvertent. If the disclosure and/or production  
3 of privileged information was inadvertent, the party holding the privilege must notify all other  
4 parties to the litigation of the specific documents and/or information for which such party is  
5 claiming and maintaining the privilege. Such documents and/or information must be identified  
6 by Bates number and/or page and line numbers, where applicable.

7       Upon notification of the specific documents and information which were inadvertently  
8 produced and/or disclosed, the receiving party must return or destroy any paper copies of the  
9 privileged documents and/or delete any native files, TIFF images, and/or other electronically  
10 stored copies of the privileged documents. The party holding the privilege must then provide the  
11 receiving party with properly redacted replacement copies of the destroyed and/or deleted  
12 documents.

13       Similarly, if, during the course of this litigation, a party discovers that it inadvertently  
14 produced privileged documents or information to another party to this action, the producing party  
15 must notify all other parties of this inadvertent production promptly upon discovery of the  
16 inadvertent production and/or disclosure. Such documents and/or information must be identified  
17 by Bates number and/or page and line numbers, where applicable. Upon notification of the  
18 specific documents and information that were inadvertently produced and/or disclosed, the  
19 receiving party must immediately return such inadvertently produced item or items of  
20 information and all copies thereof and/or otherwise delete any native files, TIFF images, and/or  
21 other electronically stored copies of the privileged documents. The party holding the privilege  
22 must then provide the receiving party with properly redacted replacement copies of the destroyed  
23 and/or deleted documents.

24       No use shall be made of any such inadvertently produced documents during depositions  
25 or at trial, nor shall they be disclosed to anyone who was not given access to them prior to the  
26 request to return or destroy them. However, this provision does not preclude any party to the  
27 litigation from seeking redress with the court regarding a document or information which the  
28 seeking party believes is not privileged and should be appropriately disclosed.



1 **J. Changes to Discovery Limits**

2 The Parties do not anticipate a need for discovery to be conducted in phases. The parties  
3 do not anticipate they will need longer than 180 days from the time discovery commences.  
4 However, the parties stipulate and request that the Court stay discovery pending a determination  
5 on the Motion to Compel Arbitration and Stay Proceedings. *See* ECF No. 15.

6 District Courts enjoy wide discretion in controlling discovery, including in determining  
7 whether discovery should be stayed. *Little v. City of Seattle*, 863 F.2d 681, 685 (9<sup>th</sup> Cir. 1988).  
8 The court can grant a stay if “(1) ‘the possible damage which may result from the granting of a  
9 stay;’ (2) ‘the hardship or inequity which a party may suffer in being required to go forward;’  
10 and (3) ‘the orderly course of justice measured in terms of the simplifying or complicating of  
11 issues, proof, and questions of law.’” *In re PG&E Corp. Sec. Litig.*, 100 F.4th 1076, 1085 (9th  
12 Cir. 2024). A stay of discovery pending resolution of a motion to compel is appropriate when:  
13 (1) the pending motion is potentially dispositive; (2) the motion to compel arbitration can be  
14 decided without additional discovery; and (3) a magistrate judge has taken a “preliminary peek”  
15 at the underlying motion and the preliminary peek shows that arbitration is a reasonable  
16 possibility. *Kor Media Grp., LLC v. Green*, 294 F.R.D. 579, 582 (D. Nev. 2013).

17 In this case, no damage will result from granting the stay of discovery pending a ruling  
18 on the Motion. It will serve the orderly course of justice, ensuring that the parties have clarity on  
19 the jurisdiction that should govern the discovery process. Indeed, more damage will be incurred  
20 by the parties if they are forced to conduct discovery now, only to later find that this matter  
21 should proceed elsewhere. Defendants submit that their Motion is well supported and warrants a  
22 stay of discovery under this precedent. While Plaintiff disputes that position, Plaintiff agrees the  
23 question of arbitration can be determined without conducting discovery and it would be a waste  
24 of resources to continue forward with discovery if arbitration is ultimately compelled. Nothing  
25 will be lost by waiting; but substantial resources may be wasted if discovery proceeds.

26 **K. Additional Orders**

27 The Parties anticipate filing a Stipulated Confidentiality Agreement and Proposed  
28 Protective Order Under FRCP 26(c) if this case progresses beyond the Defendants’ *Motion to*



1 *Compel Arbitration and to Stay Proceedings.* The Parties do not anticipate a need for the Court  
2 to issue any other order under FRPC 26(c) or 16(b) and (c).

3 Dated the 25th day of September 2024.

Dated the 25th day of September 2024.

4 HONE LAW

STOK KON + BRAVERMAN

5 /s/ Leslie A. S. Godfrey

/s/ Theodore (Tuvia) Sandler

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*FANMIO, INC. AND SOLOMON ENGEL*

13 **ORDER**

14 IT IS SO ORDERED.

15  
16   
17 Hon. Maximiliano D. Couvillier III  
United States Magistrate Judge  
Dated: 9/30/24

18 The parties shall file an Amended Stipulated Discovery Plan and Scheduling Order within  
19 7 days from the entry of any order denying defendants' Motion to Compel arbitration.  
20 Such amended plan and scheduling order must include the precise discovery and pretrial  
21 deadline dates.  
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